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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 RON WATERMAN,

11 Petitioner,

Case No. C11-539-MJP-JPD

12 v.

13 PATRICK GLEBE,

Respondent.

ORDER STRIKING PETITIONER'S
MOTION FOR SUMMARY JUDGMENT
AND GRANTING RESPONDENT'S
MOTION FOR EXTENSION OF TIME

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15 This is a federal habeas action filed under 28 U.S.C. § 2254. Currently pending before
16 the Court are petitioner's motion for summary judgment and respondent's motion for an
17 extension of time. The Court, having reviewed the pending motions, and the balance of the
18 record, does hereby find and Order as follows:

19 (1) Petitioner's motion for summary judgment (Dkt. No. 19) is STRICKEN.
20 Petitioner, by way of the instant motion, seeks summary judgment on one of the six grounds for
21 relief asserted in his federal habeas petition. However, at this juncture, respondent has yet to file
22 a response to petitioner's federal habeas petition and, in fact, petitioner filed his dispositive
23 motion mere days after the Court ordered service of the petition on respondent. The Court will

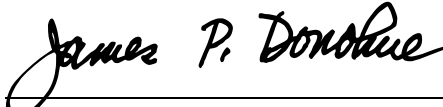
ORDER STRIKING PETITIONER'S
MOTION FOR SUMMARY JUDGMENT - 1

1 not entertain any additional arguments from petitioner on the merits of his claims, whether
2 presented in the form of a dispositive motion or an amendment to the petition, until respondent
3 has had a full and fair opportunity to review the state court record and submit an answer to the
4 Court.¹ Petitioner may renew the arguments set forth in his summary judgment motion in his
5 response to respondent's answer.

6 (2) Respondent's motion for an extension of time to file an answer to petitioner's
7 federal habeas petition (Dkt. No. 21) is GRANTED. Respondent is directed to file and serve an
8 answer to the petition not later than *November 8, 2011*.

9 (3) The Clerk is directed to send copies of this Order to petitioner, to counsel for
10 respondent, and to the Honorable Marsha J. Pechman.

11 DATED this 6th day of September, 2011.

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13 JAMES P. DONOHUE
14 United States Magistrate Judge
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23 ¹ Petitioner has already presented the Court with hundreds of pages of briefing and exhibits. Additional briefing at this point is neither appropriate nor helpful.